

PUBLIC SERVICE COMMISSION OF SOUTH CAROLINA

DOCKETING DEPARTMENT

NOTICE OF FILING

DOCKET NO. 2009-238-S

APPLICATION OF JACABB UTILITIES, LLC FOR APPROVAL OF A CONTRACT WITH THE CLIFFS AT MOUNTAIN PARK, LLC TO SERVE THE CLIFFS AT MOUNTAIN PARK DEVELOPMENT

Jacabb Utilities, LLC ("Applicant" or "Utility") has filed an Application with the Public Service Commission of South Carolina ("Commission"), pursuant to 26 S. C. Code Ann. Regs. 103-541 (Supp. 2008) for approval of a contract between it and The Cliffs at Mountain Park, LLC ("Developer").

The Applicant is a public utility currently authorized to operate water and wastewater systems under the jurisdiction of the Commission in Greenville County, as well as certain other counties in South Carolina. The Applicant and the Developer request that the Commission approve agreement for sewer services entered into by the Developer and the Applicant on March 3, 2009 ("Agreement").

According to the Application, the Applicant proposes to serve The Cliffs at Mountain Park Development which will consist of approximately three hundred and eight (308) residential units, residential inn, offices, clubhouse, and other facilities and possibly other commercially or residentially developed land contiguous to the Site. The Agreement provides, among other things, that the Developer will construct all of the necessary sewer facilities ("Facilities") required to serve the Property, acquire all necessary easements and rights-of-way ("Easements") and convey such Facilities and Easements to Applicant. Further, the Applicant has agreed to reserve adequate sewer capacity for Phase I and Phase II of the Development of wastewater flow from connections located within the Property or contiguous properties to the site. The Applicant's proposed rates for Phase I are in the contractual agreement in the Application and some of the proposed rates for Phase II are set for the in the Utility's rate schedule in Order No. 2003-141. Details of rate schedules for both Phases are located in the Application.

A copy of the Company's Application can be obtained from the Commission at the following address: Public Service Commission of South Carolina, Docketing Department, 101 Executive Center Drive, Columbia, South Carolina 29210. Additionally, the Application is available on the Commission's website at www.psc.sc.gov and is available from James S. Eakes, Esquire, Allen and Eakes, P. O. Box 1405, Anderson, South Carolina 29622.

A public hearing, if scheduled, will be held in the Commission's Hearing Room, Synergy Business Park, Saluda Building, 101 Executive Center Drive, Columbia, South Carolina, for the purpose of receiving testimony and other evidence from all interested parties regarding this Application. The time and date of this hearing will be furnished to all interested parties at a later date.

Any person who wishes to participate in this matter, as a party of record with the right of cross-examination should file a Petition to Intervene in accordance with the Commission's Rules of Practice and Procedure on or before **July 15, 2009**, and indicate the amount of time required for his presentation. Please include an email address for receipt of future Commission correspondence in the Petition to Intervene. ***Please refer to Docket No. 2009-238-S.***

Any person who wishes to testify and present evidence at the hearing, if scheduled, should notify the Docketing Department, in writing, at the address below, the Office of Regulatory Staff, at 1401 Main Street, Suite 900, Columbia, South Carolina 29201 and James S. Eakes, Esquire, at the above address, on or before **July 15, 2009**, and indicate the amount of time required for his presentation. ***Please refer to Docket No. 2009-238-S.***

Any person, who wishes to be notified of the hearing but does not wish to present testimony or be a party of record, may do so by notifying the Docketing Department, in writing, at the address below on or before **July 15, 2009**. ***Please refer to Docket No. 2009-238-S.***

PLEASE TAKE NOTICE: Any person who wishes to have his or her comments considered as part of the official record of this proceeding **MUST** present such comments, in person, to the Commission during the hearing.

Persons seeking information about the Commission's Procedures should contact the Commission at (803) 896-5100.

Public Service Commission of South Carolina
Attn: Docketing Department
Post Office Drawer 11649
Columbia, South Carolina 29211

6/15/09
cba